

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

AHMED S. ISMAEL,

Plaintiff,

v.

AUGUSTA RICHMOND COUNTY
COMMISSION, et al.,

Defendants.

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CV 122-108

O R D E R

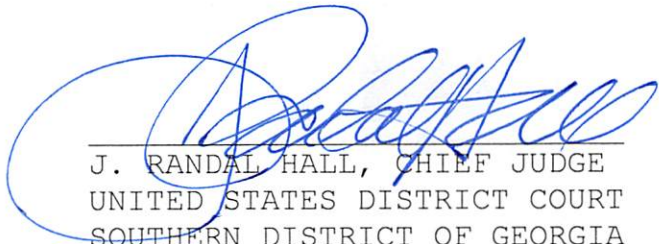
Presently before the Court is Plaintiff's notice of dismissal of Defendant Augusta Richmond County Commission under Federal Rule of Civil Procedure 41(a)(1)(A)(i). (Doc. 16.) However, because Plaintiff filed the notice after Defendant Augusta Richmond County Commission served an answer, the Court will construe this notice as a motion to dismiss under Federal Rule of Civil Procedure 41(a)(2).¹

Pursuant to Rule 41(a)(2), the Court **GRANTS** Plaintiff's motion and hereby **DISMISSES WITHOUT PREJUDICE** this matter as to Defendant Augusta Richmond County Commission. Accordingly, Defendant Augusta Richmond County Commission's motion to dismiss (Doc. 11) is **DENIED AS MOOT**. The Clerk is **DIRECTED** to **TERMINATE** Defendant Augusta Richmond County Commission as a party to this

¹ Dismissal against less than all parties is permissible under Rule 41. See Jackson v. Equifax Info. Servs., LLC, No. CV 119-096, 2020 WL 476698, at *2 (S.D. Ga. Jan. 29, 2020).

case and any motions pertaining to it. Plaintiff and Defendant Augusta Richmond County Commission shall bear their own costs and fees with respect to each other.

ORDER ENTERED at Augusta, Georgia, this 21ST day of November, 2022.



J. RANDAL HALL, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA